

CITY OF MUSKEGON
PLANNING COMMISSION
SPECIAL MEETING

DATE OF MEETING: Thursday, March 18, 2021
TIME OF MEETING: 4:00 p.m.
PLACE OF MEETING: Zoom / City of Muskegon Government Facebook Page

AGENDA

- I. Roll Call
- II. Approval of Minutes from the regular meeting of January 14, 2021.
- III. Elections
- IV. Public Hearing
 - A. Hearing, Case 2021-06: Request to amend Section 2331 of zoning ordinance to allow the following marihuana related license types at 420 S Harvey St, by Corey Roberts: Recreational class b growing, processing, retail, designated consumption establishments and special events.
 - B. Hearing, Case 2021-07: Request to rezone 2172 Dowd St, 2184 Dowd St, 2157 Hudson St, 2169 Hudson St and 2171 Hudson St from R-1, Low Density Single Family Residential to Form Based Code, Urban Residential by Stephen Benedict.
- V. New Business
 - A. Case 2021-08: Request for a site plan review for a 10,200 sf addition to the building at 1840 Industrial Blvd, by Johnstone Supply.
- VI. Other
 - A. Updates on previous cases
- VII. Adjourn

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETING OF THE
CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting, upon 24- hour notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or

calling the following:
Ann Meisch, City Clerk
933 Terrace Street
Muskegon MI 49440

STAFF REPORT

March 18, 2021

Hearing, Case 2021-06: Request to amend Section 2331 of zoning ordinance to allow the following marihuana related license types at 420 S Harvey St, by Corey Roberts: Recreational class b growing, processing, retail, designated consumption establishments and special events.

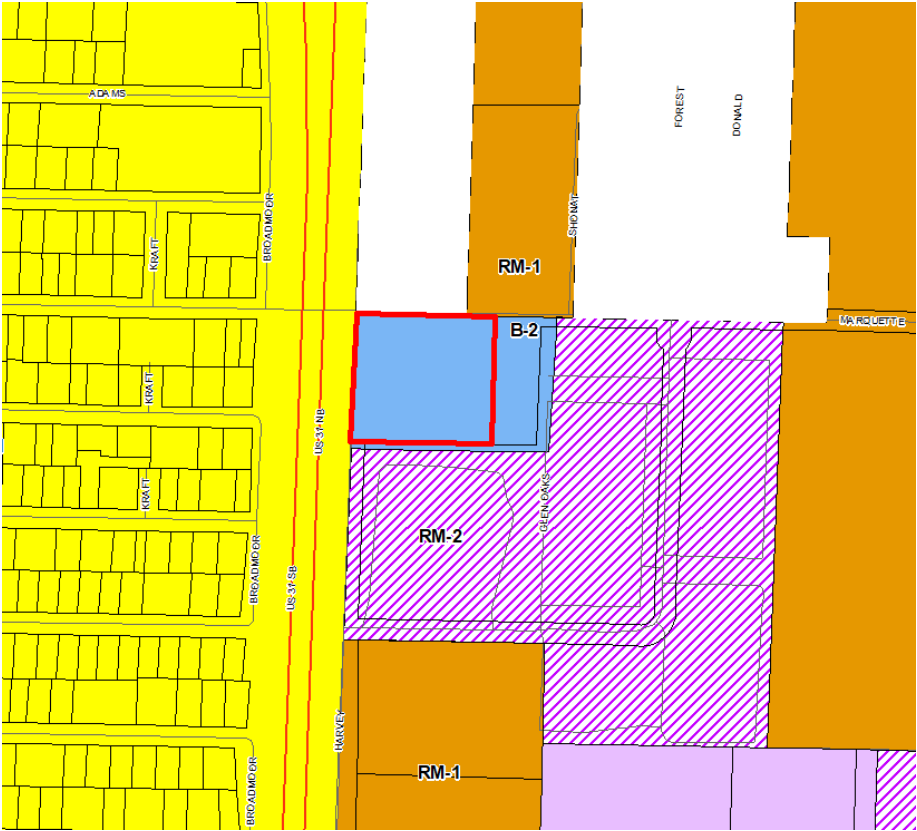
SUMMARY

1. The applicant applied in October 2020 to amend the ordinance to allow for microbusiness, designated consumption establishment and special event license types at this same location. The case was tabled and eventually denied (2-7 vote by Planning Commission. City Commission denied by a 0-5 vote). At the December hearing where it was denied, the applicant had also applied for a new case where they were requesting to amend the ordinance to allow for growing, processing, provisioning, retail, designated consumption establishments and special event license types at this same address. The motion to recommend approval to the City Commission failed again 2-7. The motion to adopt the amendment passed by a 5-0 vote at the first City Commission meeting, however, a second reading was required and a motion to pass the amendment failed 0-5. This was after the applicant spoke to the Commission about ownership issues.
2. The applicant has stated that there are no more ownership issues associated with the property and is requesting the same license types they applied for in December.
3. Notice was sent to properties within 300 feet of this property. At the time of this writing, staff had not received any comments.

420 Harvey St



Zoning Map



Aerial Map



DELIBERATION

I move that the request to amend Section 2331 of zoning ordinance to allow the following marihuana related license types at 420 S Harvey St (Recreational class b growing, processing, retail, designated consumption establishments and special events) be recommended to the City Commission for (approval/denial).

Hearing, Case 2021-07: Request to rezone 2172 Dowd St, 2184 Dowd St, 2157 Hudson St, 2169 Hudson St and 2171 Hudson St from R-1, Low Density Single Family Residential to Form Based Code, Urban Residential by Stephen Benedict.

SUMMARY

1. The properties are zoned R-1, Low Density Single Family Residential and measure 1.3 acres combined.
2. The City of Muskegon owns 2169, 2171, 2184 Hudson St and 2172 Dowd St (mechanical tower site). A private citizen owns 2157 Hudson St and is willing to sell the property to the applicant on the condition of rezoning. (See aerial map with addresses). The applicant is planning a development that would include duplexes.
3. The area is identified by a mixture of residential zoning types and offers a variety of housing options such as single family, duplexes and large apartment complexes. (See zoning map and aerial map)
4. A former fire station was located on 2171 and 2184 Hudson St. It was demolished in 2002 and the property has sat vacant since.
5. The mechanical tower on 2172 Dowd St is no longer functional and options are being explored to remove.
6. The FBC, UR zoning designation would allow for single-family, duplexes, rowhomes and carriage houses (accessory dwelling units). It would not allow for small multiplexes because the lots are not serviced by an alley.
7. Notice was sent to properties within 300 feet. At the time of this writing, staff had not received any comments from the public.

The form based code can be viewed at:

<https://www.muskegon-mi.gov/documents/pdf/2562.pdf>

Urban Residential Context Area starts on pdf page 67.

Relevant housing types start on pdf page 161.

Examples of housing types that would be allowed under FBC, UR zoning:

Detached (single-family)



Rowhouse



Duplex



Carriage House



Required building heights and lot sizes:

ROWHOUSE BUILDING TYPE	with LIGHTWELL			
	with STOOP	By Right	2 story building required	Lot Width: 18' min. / 30' max. Lot Depth: 100' min.
	with PROJECTING PORCH	By Right	2 story building required	Lot Width: 18' min. / 30' max. Lot Depth: 100' min.
DUPLEX BUILDING TYPE	with STOOP	By Right	2 story building required	Lot Width: 40' min. / 60' max. Lot Depth: 100' min.
	with PROJECTING PORCH	By Right	2 story building required	Lot Width: 40' min. / 60' max. Lot Depth: 100' min.
	with ENGAGED PORCH	By Right	2 story building required	Lot Width: 40' min. / 60' max. Lot Depth: 100' min.
DETACHED HOUSE BUILDING TYPE	with STOOP	By Right	2 story max. / 1 story min.	Lot Width: 30' min. / 60' max. Lot Depth: 100' min.
	with PROJECTING PORCH	By Right	2 story max. / 1 story min.	Lot Width: 30' min. / 60' max. Lot Depth: 100' min.
	with ENGAGED PORCH	By Right	2 story max. / 1 story min.	Lot Width: 30' min. / 60' max. Lot Depth: 100' min.
CARRIAGE HOUSE BUILDING TYPE		By Right	2 story building required	Not Applicable - Carriage House Building Type must be used as an accessory building to another building type (refer to Section 2006)

Zoning Map



Aerial Map



STAFF RECOMMENDATION

Staff recommends approval of the request. Housing options of all types are needed throughout the City and this location already offers more intense residential uses.

DELIBERATION

I move that the request to rezone 2172 Dowd St, 2184 Dowd St, 2157 Hudson St, 2169 Hudson St and 2171 Hudson St from R-1, Low Density Single Family Residential to Form Based Code, Urban Residential be recommended to the City Commission for (approval/denial).

Case 2021-08: Request for a site plan review for a 10,200 sf addition to the building at 1840 Industrial Blvd, by Johnstone Supply.

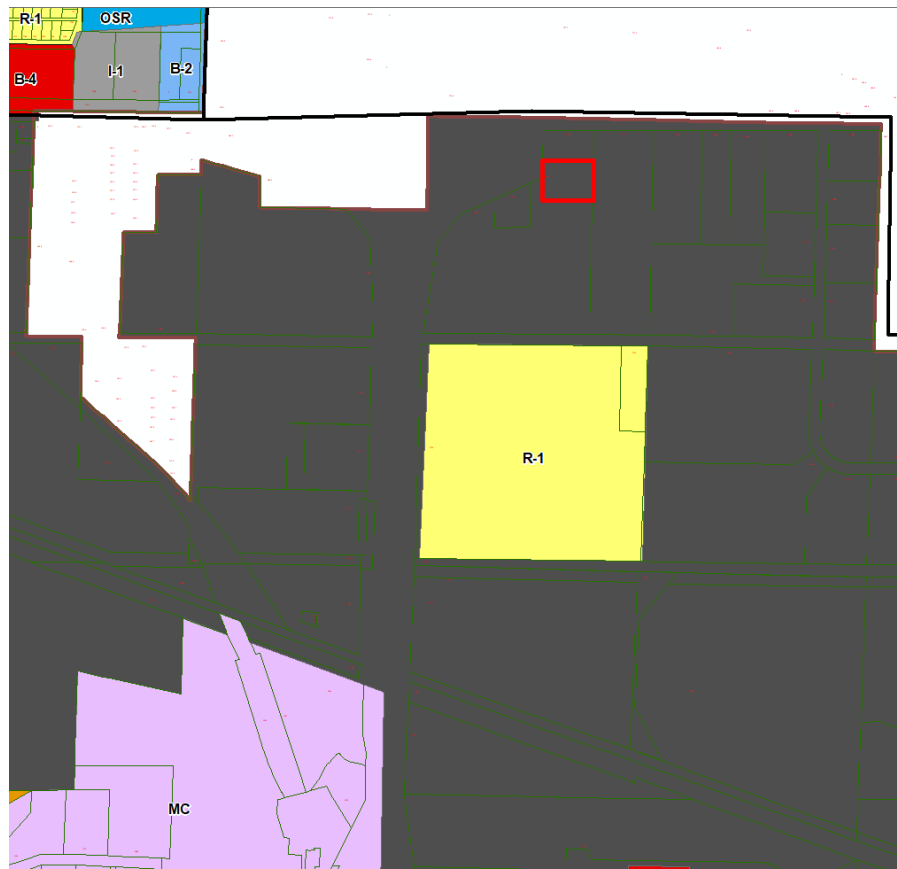
SUMMARY

1. The property is zoned I-2, General Industrial and measures 1.6 acres.
2. The applicant has acquired additional property to the south from their neighbor. (see site plan)
3. They are proposing a 10,200 sf building addition along with an additional 18 parking spaces.
4. A stormwater permit has been issued by the Muskegon County Drain Commissioners Office. The additional stowrmwater will be contained within the new detention pond.
5. The fire department has indicated that an additional fire hydrant will be required to service the addition.
6. The zoning ordinance requires that all required front setbacks shall be landscaped with a minimum of one (1) canopy or shade tree, two (2) understory or evergreen trees and (2) shrubs, for each thirty (30) lineal feet (or major portion thereof) of frontage abutting the right-of-way. This equated to a requirement of four (4) canopy trees, eight (8) understory and six (6) shrubs. These may be planted anywhere on site.

1840 Industrial Blvd



Zoning Map



Aerial Map (property lines shown before additional land to the south was acquired)



STAFF RECOMMENDATION

Staff recommends approval of the site plan with the following condition:

1. An amended site plan that includes the fire hydrant addition and landscaping additions be approved by staff.

DELIBERATION

I move that the request for a site plan review for a 10,200 sf addition to the building at 1840 Industrial Blvd be (approved/denied) with the following condition:

1. An amended site plan that includes the fire hydrant addition and landscaping additions be approved by staff.

Updates on previous Cases

Hearing, Case 2021-04: Request to rezone a portion of the property at 685 Access Hwy from I-1, Light Industrial to I-2, General Industrial by Asphalt Paving, Inc.

Approved by City Commission at the March 9 meeting.